

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

|                         |   |                  |
|-------------------------|---|------------------|
| TRISURA SPECIALTY       | ) |                  |
| INSURANCE COMPANY,      | ) |                  |
|                         | ) |                  |
| Plaintiff,              | ) |                  |
|                         | ) |                  |
| v.                      | ) | CIVIL ACTION NO. |
|                         | ) | 2:23cv538-MHT    |
|                         | ) | (WO)             |
| IQBAL S. "PETER" SIDHU; | ) |                  |
| et al.,                 | ) |                  |
|                         | ) |                  |
| Defendants.             | ) |                  |

ORDER

This case is before the court on plaintiff's motion for a 90-day extension of the deadline under Federal Rule of Civil Procedure 4(m) to serve the complaint. For the reasons below, the court will grant the motion.

Rule 4(m) of the Federal Rules of Civil Procedure provides, in relevant part:

"Time Limit for Service. If a defendant is not served within 90 days after the complaint is filed, the court--on motion or on its own after notice to the plaintiff--must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend

the time for service for an appropriate period."

Fed. R. Civ. P. 4(m).

Plaintiff filed this case on September 12, 2023. The 90-day limit for service of process expired on December 11, 2023. On December 6, 2023, plaintiff filed the pending motion to extend the deadline.

In the motion, plaintiff asserts that the only party remaining to be served is defendant Iqbal S. "Peter" Sidhu. In the motion, plaintiff explains that Sidhu died on October 8, 2023, and attaches a copy of the funeral announcement. Plaintiff represents that Sidhu's estate has yet to be opened and it does not know the name of estate representative. Plaintiff further represents that, before it was aware of Sidhu's death, it made a request to Sidhu's counsel for waiver of formal service, but that request was denied. Plaintiff seeks an additional 90 days so that it can determine the name of the representative of Sidhu's

estate and serve that individual. The court finds good cause to grant the request.

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Accordingly, it is ORDERED that:

(1) Plaintiff's motion to extend the time for service of process (Doc. 21) is granted.

(2) Plaintiff shall have until March 11, 2024, in which to perfect service of process upon the representative of defendant Iqbal S. "Peter" Sidhu.

It is further ORDERED that plaintiff is granted leave to amend the complaint to substitute the representative of the estate for defendant Iqbal S. "Peter" Sidhu by March 11, 2024.

DONE, this the 19th day of December, 2023.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE